

REMARKS

Claims 1-30 were pending and presented for examination in this application. In an Office Action dated October 2, 2006, claims 1-30 were rejected. As confirmed by Examiner in a telephonic interview, the Office Action is a Non-Final Office Action. In response, Applicants have amended claims 1, 3, 12, 13, 15, and 24-30, and added new claims 31-34. Claims 1-34 are pending upon entry of this amendment.

§101 Rejections

Examiner rejected Claims 1, 4, 5, 10, 11, 27, and 30 in their original form under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter for failure to produce a useful and tangible result. Independent Claims 1 and 27, from which the other rejected claims depend, have been amended to incorporate elements similar to those of Claim 3 (in method and system form) in its original form, which Examiner recognized as describing a statutory invention. Applicants respectfully submit that these amendments confirm that the claims in their current form comprise patentable subject matter and request withdrawal of the rejection of these claims.

Examiner rejected Claims 13-25 in their original form under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Examiner argued that “computer-readable medium” could be construed to comprise a non-patentable signal encoded with functional descriptive material. To address this rejection, Applicants have amended the preamble of claim 13, and by extension, claims 14-25 which depend from it, to recite “[a] tangible computer readable medium.” Applicants respectfully submit that this amendment addresses the Examiner’s §101 rejection of Claims 13-25 and request its withdrawal.

§102 Rejections

Examiner rejected Claims 1-5, 10-17, 22-25, and 28-30 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 20050114487 to Peng. Applicants respectfully submit that the claims in their current form are patentable over Peng, alone or together with the other reference cited by Examiner, U.S. Patent No. 7,016,919 to Cotton.

Independent Claim 1 recites a method comprising:

capturing event data about a previously-occurring event responsive to the event schema by crawling a memory of a computer used by a user, wherein the event comprises interactions of the user with an article associated with the application; and
storing the event data in a searchable database.

Independent Claims 13, 26, and 27 recite similar features, in computer readable medium, method, and system form. The claimed invention thus describes capturing event data by crawling a memory, and storing the event data in a searchable database.

As described in the specification at paragraphs [0013] and [0022], the crawled memory may comprise RAM, hard drive memory, or another type of memory. Capturing event data in this way enables user interactions that have already taken place to be recorded, then stored in a searchable database. The event data can be later accessed, for instance according to the method of Claim 2, and provided by a search application in response to a search query.

Peng does not teach or suggest capturing and storing event data about an event as claimed. In the Office Action, Examiner asserted that paragraph 23 of Peng discloses the storage of event data in a searchable database. While this paragraph describes the storage of an XSD document in a schema library, preceding paragraph 22 of Peng makes clear that what is stored is data about an event *type*, rather than “event data about an event,” as per the claimed invention. Further, Peng does not teach or suggest capturing the data by crawling a memory of a computer used by a user. Indeed, Peng, which relies on event generators to generate events, does not mention crawling at all.

Cotton does not cure this defect. While Cotton describes the tagging of data as it is input into a framework, it makes no mention of capturing event data by crawling a memory as claimed. Thus, neither Peng alone, or Peng in combination with Cotton, teach or disclose the claimed invention.

§103 Rejections

Examiner rejected Claims 6-9, 18-21, and 26 under 35 U.S.C. §103(a) as being unpatentable over Peng in view of U.S. Patent No. 7,016,919 to Cotton. The Examiner cited Cotton for its disclosure of dependent limitations. Cotton does not disclose or teach (nor did Examiner assert that Cotton discloses or teaches) the distinguishing limitations of the independent claims disclosed above missing from Peng. Accordingly, the rejection of Claims 6-9, 18-21, and 26 under §103(a) in view of the combination of Peng and Cotton cannot be sustained.

Conclusion

On the basis of the above amendments, consideration of this application and the early allowance of all claims herein are requested. If the Examiner believes that direct contact with the Applicants' attorney will advance the prosecution of this case, the Examiner is encouraged to contact the undersigned as indicated below.

Respectfully submitted,
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